

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RODNEY E. JONES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:20CV849
	)	
DARRYL VANN,	)	
	)	
Defendant.	)	

**ORDER**

On December 1, 2020, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Plaintiff filed Objections (Docs. 4, 5) within the time limit prescribed by Section 636. The court has reviewed Plaintiff's objections *de novo* and finds that they do not change the substance of the United States Magistrate Judge's Recommendation (Doc. 2), which is affirmed and adopted. To the extent Plaintiff contends that he did not intend to file a civil action, the Court notes that Plaintiff has not been charged a fee in this action, and the case is being dismissed without prejudice.

IT IS THEREFORE ORDERED that that this action is dismissed *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects set out in the Recommendation.

\_\_\_\_/s/ Thomas D. Schroeder\_\_\_\_  
United States District Judge

December 21, 2020